

Claims 1-5, 7-18 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,171,619 to Reuben ("the Reuben reference") in view of U.S. Patent No.

2,915,427 to Schrinier et al. ("the Schrinier reference"). Applicant respectfully traverses this rejection.

The invention of independent claim 1 is directed to a method of producing a vehicle mat comprising the steps of providing a sheet of thermoplastic material where the sheet has first and second sides, the second side having a plurality of nibs extending therefrom, locating the sheet in proximity with a contoured molding tool having one or more sidewalls that extend upwardly from a flat base and a top surface. The first side is directed toward the sidewall and top surface of the tool and the second side directed away from the tool. The sheet is then heated and drawn toward the tool until the sheet is substantially shaped to the contour of the sidewall and the top surface of the tool.

None of the references taken singly or in combination teach or suggest a method of producing a vehicle mat where a thermoplastic sheet is located in proximity with a molding tool having one or more sidewalls that extend upwardly from a flat base and a top surface as recited in amended claim 1. In rejecting each of these claims, the Examiner stated that the Reuben does not teach using a male tool including a contoured form upstanding from a flat base. Therefore, it appears that the Schrinier reference is being used to suggest this claim limitation. It is well established that the teachings from the prior art itself must suggest the claimed subject matter to a person of ordinary skill in the art. In re Bell, 26 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1993) (quoting In re Rinehart, 189 U.S.P.Q. 143, 147 (C.C.P.A. 1976)). As best seen in FIGS. 1-4, the Schrinier reference provides for a mold that is shaped in a wave-like pattern. There is no suggestion that the mold in the Schrinier reference may be modified to include one or more sidewalls that extend upwardly from a flat base and a top surface as provided in the present invention. Thus, the Schrinier reference fails to provide

the necessary motivation to teach or suggest the step of locating the sheet in proximity with a molding tool having one or more sidewalls that extend upwardly from a flat base and a top surface.

In addition, the Examiner also stated that it would have been obvious to one of ordinary skill in the art at the time the invention was made to redesign the mold of Reuben to have the claimed features in order to diversify the shape of the mat. But, as already noted, the Examiner conceded that the Reuben reference does not teach the use of a tool including a contoured form upstanding from a flat base.

Moreover, none of the references teach or suggest a method of producing a floor mat where the nibs extending from the sheet are directed away from the tool. The Reuben reference provides for a floor mat having a base layer with protrusions that extend through a foam layer. The Examiner then combined the mat in the Reuben reference with the Schriner reference to show that the mat may be contoured by directing the nib side of the floor mat away from the molding tool. However, the Schriner reference merely provides a method for curing a rubber mat to a piece of contoured textile fabric and does not suggest the desirability of placing the mat in a position where the nibs are directed away from the mold. Therefore, none of the references, when taken singly or in combination, teach or suggest a method of producing a floor mat where the nibs extending from the sheet are directed away from the tool.

Applicant further submits that claims 9 and 13 are allowed over the references of record for at least the reasons set forth with respect to claim 1.

Conclusion

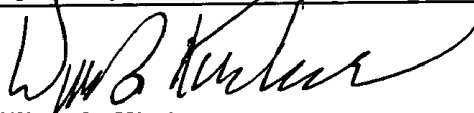
For at least the foregoing reasons, Applicant respectfully submits that claims 1, 9 and 13 are allowable over the references of record. Since claims 2-5, 7-8, 10-12, 14-18 and 20 depend either directly or indirectly from claims 1, 9 and 13, Applicant submits that these claims are also in

condition for allowance for at least the above cited reasons. However, should the Examiner feel that unresolved issues remain in the case, the undersigned may be contacted at (800) 421-5547 to arrange for an issue resolving conference.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

The present Response is being filed concurrently with 1) a Petition for a one-month extension of time along with a check in the amount of \$55.00 for a small entity; and 2) a Request for Continued Examination along with a check in the amount of \$370.00 for a small entity pursuant to 37 C.F.R. § 1.17(e).

Respectfully submitted,



William B. Kircher
Reg. No. 22,481

WBK
SHOOK, HARDY & BACON L.L.P.
One Kansas City Place
1200 Main Street
Kansas City, Missouri 64105-2118
816/474-6550

THE COMMISSIONER IS HEREBY AUTHORIZED TO
CHARGE ANY ADDITIONAL AMOUNT REQUIRED,
OR CREDIT ANY OVERPAYMENT, TO ACCOUNT
NO. 19-2112. A DUPLICATE COPY OF THIS
SHEET IS ENCLOSED.

Serial No. 09/409,478
WICP.68041

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the claims:

Claims 6 and 19 have been cancelled without prejudice or disclaimer.

Claims 1, 9 and 13 have been amended as follows:

1. (Amended) A method of producing a vehicle mat comprising the steps of:
providing a sheet of thermoplastic material, said sheet having a first and second side, said second side having a plurality of nibs extending therefrom;
locating said sheet in proximity with a contoured molding tool having one or more sidewalls that extend upwardly from a flat base and a top surface, said first side directed toward said sidewall and top surface of said tool and said second side directed away from said tool;
-

heating said sheet; and

drawing said sheet toward said tool until said sheet is substantially shaped to the contour of said sidewall and said top surface of said tool.

9. (Amended) A method of producing a plastic vehicle mat comprising the steps
of:

extruding a sheet of thermoplastic material between a pair of rollers wherein one of said rollers has a plurality of indentions to form nibs on a first side of the sheet;

locating said sheet in proximity with a contoured male molding tool having one or more sidewalls that extend upwardly from a flat base and a top surface, said first side directed away from said tool;

heating said sheet to a plastic state; and

drawing said sheet toward said male molding tool until said sheet is

substantially shaped to correspond to the contour of said sidewall and said top surface
of said tool.

13. (Amended) A method of producing a part comprising the steps of:

providing a sheet of thermoplastic material, said sheet having a first and
second side, said second side having a plurality of nibs extending therefrom;

locating said sheet in proximity with a contoured molding tool having one or
more sidewalls that extend upwardly from a flat base and a top surface, said first side
directed toward said sidewall and top surface of said tool and said second side

directed away from said tool;

heating said sheet; and

drawing said sheet toward said tool until said sheet is substantially shaped to
the contour of said sidewall and said top surface of said tool.